



Rev. 12/2001

**REQUEST FOR CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on May 5, 2003.

Kristen M. Geraci
Kristen M. Geraci

Application Number : 09/603,812
Filing Date : June 26, 2000
Inventor(s) : Michael Kraus, et al.
Title : ELECTROMEDICAL IMPLANT
Group Art Unit : 3762
Examiner Name : George R. Evanisko
Docket No. : 39732/JWP/E43

RECEIVED
MAY 09 2003

TECHNOLOGY CENTER R3700
Date: May 5, 2003

MAIL TO: Mail Stop RCE

This is a Request for Continued Examination (RCE) under 37 CFR § 1.114 of the above-identified application.

This application is **not** an application of the kind specified in 37 CFR § 1.114(e).

1. THE STATUS OF THE APPLICATION IS AS FOLLOWS:**a. X Pending (no review proceedings active)**

- (1) X An Action was mailed by the Office on February 2, 2003, as to which no appeal under 37 CFR § 1.191 has been filed and
_____ a response under 37 CFR § 1.116 was mailed on _____
_____ via Express Mail
_____ with certificate of mailing under 37 CFR § 1.8
X that Action was a Final Rejection, the finality of which is to be withdrawn by this Request
_____ an appeal or civil action under 35 U.S.C. 141, 145 or 146 has been terminated
- (2) _____ Allowed: the Notice of Allowance was mailed by the Office on _____
_____ the Issue Fee has not been paid
_____ the Issue Fee has been paid **and** a petition under 37 CFR § 1.313 was granted on _____

b. _____ Pending (with review proceeding active)

An appeal under 37 CFR § 1.191 has been filed. **Applicant(s) hereby withdraw that appeal and request reopening of the prosecution of the application.**

05/09/2003 AWONDAF1 00000074 09603812

01 FC:1801
02 FC:1201750.00 OP
168.00 OP

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Application No. 09/603,812

2. SUBMISSION(S) REQUIRED (check at least one)

a. Previously submitted

- ☐ Consider the amendments/reply under 37 CFR § 1.116 previously filed on _____
- ☐ Consider the arguments in the Appeal or Reply Brief previously filed on _____
- ☐ Other: _____

b. Enclosed

- ☒ Amendment/Reply
- ☐ Affidavit(s)/Declaration(s)
- ☐ Information Disclosure Statement
- ☐ Documents under 37 CFR § 1.48
- ☐ Petition for Extension of Time
- ☐ Other: _____

The Examiner is requested to telephone the undersigned promptly following receipt and initial review of the application in light of the Submissions(s) for the conduct of, or the scheduling of, a telephone interview in the application.

Please address all correspondence to **CHRISTIE, PARKER & HALE, LLP, P.O. Box 7068, Pasadena, CA 91109-7068.**

Respectfully submitted,

CHRISTIE, PARKER & HALE, LLP

By



John W. Peck, Ph.D.

Reg. No. 44,284

626/795-9900

JWP/kmg

**REQUEST FOR CONTINUED EXAMINATION (RCE)
FEE CALCULATION SHEET**

Application No. 09/603,812

PART I - BASIC FEE

BASIC FEE	Small Entity \$375.00	Large Entity \$750.00	\$750
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Part II - ADDITIONAL CLAIMS (compared to application before RCE)

	Claims Remaining After Amendment	Highest Number Previously Paid For	Number Extra Claims	Small Entity Rate	Large Entity Rate	FEE
Total Claims	11	* 20	0	x \$9.00	x \$18.00	0
Independent Claims	5	** 3	2	x \$42.00	2 x \$84.00	\$168.00
First Presentation of Multiple Dependent Claim				\$140.00	\$280.00	
TOTAL CLAIMS FEE						\$168.00
List Independent Claims: 1, 5, 6, 11, and 12						
* IF THE "HIGHEST NUMBER OF TOTAL CLAIMS PREVIOUSLY PAID FOR" IS LESS THAN 20, WRITE "20" IN THIS SPACE. ** IF THE HIGHEST NUMBER PREVIOUSLY PAID OR IS 3 OR LESS, WRITE "3" IN THIS SPACE.						

3. **FEES** (The RCE fee under 37 CFR § 1.17(e) is required by 37 CFR § 1.114 when the RCE is filed.)

a. Amount (total from Fee Calculation Sheet)

A check for \$918.00 is enclosed.

b. X The Commissioner is hereby authorized to charge any fees under 37 CFR 1.16 and 1.17 which may be required for this transaction to Deposit Account No. 03-1728. Please show our docket number with any charge or credit to our Deposit Account. **A duplicate copy hereof is enclosed.**